

## **REMARKS**

Claims 1-23 are now pending in the application. Applicant believes the presently amended claims place the application in a condition for allowance, and respectfully requests the Examiner to withdraw the rejections in view of the remarks herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-7, 9-11, 13-17, and 19-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cherry (U.S. Pat. No. 5,367,813) in view of Wortman (U.S. Pat. No. 3,059,368). This rejection is respectfully traversed.

With regard to independent claims 1, 11, and 21, these claims are not obvious in view of Wortman because Wortman does not teach an anchor of sufficient weight to overcome an eccentrically weighted reel and cause the line to unwind until the anchor hits bottom.

The Office action states that it would have been obvious to provide the reel 12 in Cherry with a circular section 12 having eccentric weights 14, 17 as in Wortman. However, Cherry teaches a decoy that is intended to be taken out into the water where a length of anchor line is dispensed according to the estimated depth of the water, after which a stopper is placed in a locked position to prevent *winding up of the line*. (Column 5, line 50). Thus, Cherry teaches retrieval of a decoy using **a spring and a reel for retrieving the anchor line**, so that the anchor and decoy may be easily retrieved.

Neither Cherry or Wortman teach or suggest an anchor of sufficient weight to overcome the eccentric weight of the reel to cause the line to unwind until the anchor hits bottom, after which the eccentrically weighted reel resists unwinding of the line from the reel. This allows the decoy to be launched onto the water, where the decoy provides a **reel for deploying an anchor** without further unwinding of line. The decoy

in amended claims 1, 11, and 20 comprises a reel for dispensing a length of anchor line for deploying the decoy into the water, after which the anchor is thrown into the water. The eccentric weighting of the reel preferably allows the weight of the anchor to cause the reel to unwind line until the anchor hits bottom, after which the eccentric weight on the reel is sufficient to resist rotation of the reel. (Specification, paragraph [0033]). Thus, the decoy embodiments in amended claims 1, 11, and 20 have an eccentrically weighted reel that functions to resist anchor line from playing out and allowing the decoys to move from where they are placed. (Specification, paragraph [0004]). Unlike Cherry, which teaches a winding up mechanism for retrieving an anchor line, amended claims 1, 11, and 20 allow for deploying an anchor of sufficient weight to overcome the eccentric weight of the reel to cause the line to unwind until the anchor hits bottom, after which the eccentrically weighted reel resists unwinding of the line from the reel. Neither Cherry or Wortman teach or suggest an anchor of sufficient weight to cause a reel to unwind line until the anchor hits bottom, and an eccentrically weighted reel that resists unwinding of line after the anchor hits bottom. Obviousness cannot be established by combining references without also providing evidence of the motivating force which would impel one skilled in the art to do what the applicant has done. *MPEP 2144*.

During a March 22, 2005 telephone conversation between the Examiner and Applicant's patent agent Kevin Pumm (Reg. No. 49,046), the Examiner indicated that the above amendments might patentably distinguish the claims over Cherry and would be considered. Accordingly, the Applicant believes that the claims 1, 11, and 20 as amended per the interview are in a condition for allowance.

With regard to claims 2-10, 12-19, and 21-23, these claims ultimately depend from claims 1, 11, and 20, which applicant believes are allowable in view of the above remarks. As such, Applicant believes claims 2-10, 12-19, and 21-23 are also allowable for at least these reasons.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7500.

Respectfully submitted,

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By:   
Bryan K. Wheelock, Reg. No. 31,441

HARNESS, DICKEY & PIERCE, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, Missouri 63105  
(314) 726-7500